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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

16 PEGGY COLLINS,

Case No. 2:19-cv-01864-RFB-BNW

17 Plaintiff,

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**STIPULATION TO EXTEND
DISCOVERY AND PRE-TRIAL
DEADLINES (FOURTH REQUEST)**

v.

23 C. R. BARD, INCORPORATED and BARD
24 PERIPHERAL VASCULAR, INCORPORATED,

25 Defendants.

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Comes now, Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (“Bard” or “Defendants”) and Plaintiff Peggy Collins (“Plaintiff”), by and through their undersigned counsel of record, pursuant to LR IA 6-2, and hereby stipulate that the discovery deadlines are extended by sixty (60) days as detailed below. This Stipulation is entered into as a result of the current national emergency caused by the spread of COVID-19 and continuing difficulties in locating and scheduling the depositions of Plaintiff’s treating physicians.

1 Pursuant to Federal Rules of Civil Procedure 6(b) and 26, and the Court's inherent
 2 authority and discretion to manage its own docket, this Court has the authority to grant the
 3 requested extension. Fed. R. Civ. P. 6(b) ("When an act may or must be done within a
 4 specified time the court may, for good cause, extend the time...."). Furthermore, Federal Rule
 5 of Civil Procedure 26(c) and (d) vests the Court with authority to limit the scope of discovery
 6 or control its sequence. *Crawford-El v. Britton*, 523 U.S. 574, 598 (1998) ("Rule 26 vests
 7 the trial judge with broad discretion to tailor discovery narrowly and to dictate the sequence
 8 of discovery.").

9 This Court therefore has broad discretion to extend deadlines or stay proceedings as
 10 incidental to its power to control its own docket. *Bacon v. Reyes*, 2013 U.S. Dist. LEXIS
 11 143300, at *4 (D. Nev. Oct. 3, 2013) (*citing, Munoz-Santana v. U.S. I.N.S.*, 742 F.2d 561,
 12 562 (9th Cir. 1984)) ("Whether to grant a stay is within the discretion of the court"); *Lockyer*
 13 *v. Mirant Corp.*, 398 F.3d 1098, 1109 (9th Cir. 2005) ("A district court has discretionary
 14 power to stay proceedings in its own court."). The exercise of this discretion is particularly
 15 appropriate where, as here, such action would promote judicial economy and efficiency.
 16 *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) ("[T]he power to stay proceedings is
 17 incidental to the power inherent in every court to control the disposition of the causes on its
 18 docket with economy of time and effort for itself, for counsel, and for litigants.").

19 For the foregoing reasons, the Parties stipulate and request that this Court modify the
 20 Stipulated Discovery Plan and Scheduling Order, Dkt. 40, as follows:

PROPOSED DATE	DEADLINE
March 13, 2021	Close of case-specific fact discovery.
May 28, 2021	Parties shall produce case-specific expert reports.
June 28, 2021	Parties shall produce any case-specific rebuttal expert reports.
July 27, 2021	Deadline to depose Plaintiff's experts on their case-specific reports.
August 20, 2021	Deadline to depose Defendants' experts on their case-specific reports.

PROPOSED DATE	DEADLINE
October 8, 2021	Deadline to file Daubert motions and other dispositive motions.

4 **IT IS SO STIPULATED.**

5 Dated this 14th day of December 2020.

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23 ORDER

24 **IT IS SO ORDERED**

25 **DATED:** 11:40 am, December 18, 2020

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28 **BRENDA WEKSLER**
UNITED STATES MAGISTRATE JUDGE